

**Notice of Allowability**

Application No.

09/843,030

Applicant(s)

TANAKA ET AL.

Examiner

Art Unit

Samson B. Lemma

2132

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE Filed on 09/29/2005.
2. ☒ The allowed claim(s) is/are 1-3, 6-14 and 16-21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### ***DETAILED ACTION***

1. The request filed September 29, 2005 for a request for continued examination (RCE) under 37 CFR 1.114 based on patent application 09/843,030 is acceptable and an RCE has been established. Accordingly, **claims 1-21** have been examined.
2. **Independent claims 1 and 11** have been amended.
3. **New claim 21 has been** added.
4. **Dependent claim 2** has been amended.
5. **Claims 4-5 and 15** have been canceled.

### ***Allowable Subject Matter***

6. **Claims 1-3, 6-14, 16-21** are allowed.
7. The following is an examiner's statement of reasons for allowance:
8. With respect to **the independent claims 1** the art on the record, namely the combination **Isikoff and Wong** discloses most of the limitation of the recited claims 1. However the art on the record namely the combination of **Isikoff and Wong** or **Isikoff/Wong** alone does not disclose or suggest the following particular limitation which is now added on the previous independent claim 1 “ **wherein said Status detector means includes:**

**A location survey means for geographically identifying own location of said portable information-processing device; and at least one of**

**An acceleration detector means for detecting vibration of said portable information processing device;**

**A vibration detector means for detecting vibration of said portable information-processing device;**

**An inclination detector for detecting an inclination of said portable information-processing device;**

**Said processor means determines that said portable information-processing device is abnormal if at least one of shift values of location, acceleration, vibration and inclination of said portable information-processing device exceeds one of respective predetermined threshold values; and**

**said first wireless communication means transmits the data stored in said first storage means to pre-assigned device; when said processor means determines that said portable information-processing device is abnormal.”**

Claim 11 is also amended and included the following similar limitation as that of independent claim 1 and the amended feature is not disclosed by the reference used in rejection, namely the Isikoff or the combination of Isikoff and Wong.

**“determining that said portable information-processing device is abnormal if at least one of shift of location, acceleration, vibration and inclination detected in said step exceeds one of respective predetermined threshold values”**

It has also been verified that no new matter has been added.

Support for the above amendment is recited on page 5, lines 19-21 of the disclosure.

None of the prior art of record taken singularly or in combination teaches or suggests the limitations discloses in the independent claims with functional limitation recited above.

For the reasons provided above, the amended independent claims **1 and 11 are allowed.**

9. **The dependent claims 2-3,6-10,12-14 and 16-21** being further limiting to the independent claims, definite and enabled by the specification are also allowed.

Art Unit: 2132

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

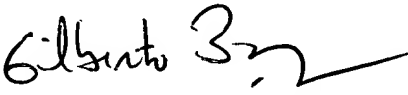
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am---4: 30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAMSON LEMMA

S.L.

11/23/2005

  
GILBERTO BARRON JR.  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100